



Crl.O.P.No.1649 of 2023

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T.V.THAMILSELVI, J.

The petitioner who apprehends arrest at the hands of the respondent Police for the offences punishable under Section 420 of IPC in Crime No.358 of 2022, seeks anticipatory bail.

2. The case of prosecution is that the petitioner borrowed a sum of Rs.1,35,000/- and repaid a part of that amount. When the defacto complainant demanded remaining money, there is no response from the petitioner. Hence, the complaint.

3. The learned counsel appearing for the petitioner submit that the petitioner is an innocent person and he has nothing to do with the alleged offences and he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioner borrowed a sum of



CrI.O.P.No.1649 of 2023

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Rs.1,35,000/- and repaid a part of that amount. When the defacto complainant demanded remaining money there is no response from the petitioner. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and the stage of investigation, this court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned ***XV Metropolitan Magistrate at George Town, Chennai*** on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties (out of which one surety should be a blood surety) each for a like sum to the satisfaction of the respondent police or the police officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the



CrI.O.P.No.1649 of 2023

WEB COPY

petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police station on daily at 10.30 A.M., for a period of one month and thereafter as and when required for interrogation.

[c] the petitioner is directed to deposit a sum of Rs.50,000/-(Rupees Fifty Thousand Only) to the credit of Crime No.358 of 2022 without prejudice to his rights before the concerned Magistrate within a period of two weeks from the date of receipt of copy of this order and produce the said receipt to the Magistrate.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

[f] on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with



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Crl.O.P.No.1649 of 2023

T.V.THAMILSELVI, J.

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law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

7. Post the matter on 27.02.2023 under caption “for reporting compliance”.

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06.02.2023

Crl.O.P.No.1649 of 2023